IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

Bail Appl..No. 1593 of 2007()

Crime No.2/2007 of Njarakkal Police Station

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PETITIONER :

VARGHESE ABIN. I.A. @ ABI ANTONY,
S/O.ANTONY,AGED 18 YEARS, ITTIKKUNNATH HOUSE,
ELAMKUNNAPUZHA P.O.

BY ADV. SRI.K.A.JALEEL
SRI.N.K.POULOSEKUTTY

RESPONDENTS:

STATE OF KERALA REPRESENTED BY SUB
INSPECTOR OF POLICE, NJARAKKAL POLICE STATION
CR.NO.2/07,NJARAKKAL POLICE STATION, REP. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1593 OF 2007

Dated this the 16th day of March, 2007

O R D E R

Petitioner, who is the 2nd accused in Crime No.2/2007 of Njarakkal Police Station for offences punishable under sections 324 and 326 read with section 34 IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The occurrence took place on 30.12.2006 at about 9.30 p.m. when the defacto complainant was assaulted with deadly weapons like sword stick, iron rod, etc. The petitioner is the person who is said to have inflicted the injury resulting in a fracture of the skull of the defacto complainant.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for regular bail considered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 21.3.2007 and 23.3.2007 for the purpose of interrogation and recovery of incriminating materials, if any. The petitioner shall, thereafter, be produced on the same day

before the Magistrate having jurisdiction. The Magistrate shall consider and dispose of the application, if any, filed by the petitioner for regular bail, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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